

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$38,700.00 U.S. CURRENCY,

\$19,400.00 U.S. CURRENCY
SEIZED FROM US BANK SAFE-
DEPOSIT BOX B-544,

\$57,000.00 U.S. CURRENCY
SEIZED FROM US BANK SAFE-
DEPOSIT BOX B-544,

Defendants.

CV-08-161-FVS

Final Order of Forfeiture

Plaintiff, United States of America, filed a Verified Complaint for Forfeiture In Rem on May 19, 2008, alleging that the defendant property was subject to forfeiture to the United States pursuant to 18 U.S.C. § 981(a)(1)(C).

The above court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The Defendant currency is described as follows:

- 1) \$38,700.00 U.S. currency seized pursuant to a federal search warrant executed on January 24, 2008, at 2609 West 15th Avenue, in Spokane, Washington;
- 2) \$19,400.00 U.S. Currency seized from US Bank safe-deposit box B-544, in the name of Zeljka Milovanovic, on February 19, 2008, pursuant to a federal seizure warrant executed at the US Bank located at 428 West Riverside Avenue, in Spokane, Washington; and,
- 3) \$57,000.00 U.S. Currency seized from US Bank safe-deposit box B-544, in the name of Zeljka Milovanovic, on May 16, 2008, pursuant to a federal seizure warrant executed at the US Bank located at 428 West Riverside Avenue, in Spokane, Washington.

1 On June 23, 2008, the executed Warrant of Arrest In Rem was filed herein as
2 to the \$19,400.00 U.S. currency and the \$57,000.00 U.S. currency.

3 On July 9, 2008, the executed Warrant of Arrest In Rem was filed herein as
4 to the \$38,7000.00 U.S. currency.

5 The Notice of Complaint for Forfeiture was published on July 24, July 31,
6 and August 7, 2008, in the Cheney Free Press, a newspaper of general circulation
7 in Spokane County, Washington. Based upon the last date of newspaper
8 publication, the last date to file a claim was September 8, 2008.

9 On July 11, 2008, Zeljka Milovanovic was served via certified mail with a
10 copy of the Verified Complaint for Forfeiture In Rem, Notice of Complaint for
11 Forfeiture, and Warrant of Arrest In Rem, as evidenced by the Certificate of
12 Service of Notice by Mail, filed in this matter on July 11, 2008. On August 7,
13 2008, Zeljka Milovanovic filed a claim to the \$19,400.00 and \$57,000.00 U.S.
14 currency seized from safe-deposit box B-544, and an answer.

15 On July 11, 2008, Brano Milovanovic was served via certified mail with a
16 copy of the Verified Complaint for Forfeiture In Rem, Notice of Complaint for
17 Forfeiture, and Warrant of Arrest In Rem, as evidenced by the Certificate of
18 Service of Notice by Mail, filed in this matter on July 11, 2008. On August 13,
19 2008, Brano Milovanovic requested an extension of time to file his claim. On
20 August 14, 2008, the Court granted Brano Milovanovic's request for an extension.
21 On September 2, 2008, Brano Milovanovic filed an answer. On September 5,
22 2008, Brano Milovanovic filed a claim to all of the seized currency.

23 In a Settlement Agreement and Stipulation for Order of Forfeiture, filed on
24 December 15, 2008, the United States and Claimants Zeljka Milovanovic and
25 Brano Milovanovic, (hereafter "Claimants") agreed that Claimants would forfeit
26 \$25,000.00 U.S. currency to the United States, and the United States would return
27 the remaining \$90,100.00 to the Claimants. Claimants also agreed in said
28

1 stipulation to the entry of an order of forfeiture forfeiting the \$25,000.00 U.S.
2 currency to the United States of America, without further notice or hearing.

3 It appearing to the Court that the United States and Claimants agreed, in the
4 settlement agreement and stipulation filed herein, to the forfeiture of \$25,000.00 in
5 U.S. currency to the United States;

6 It also appearing to the Court that the remaining \$90,100.00 U.S. currency
7 has been returned to the Claimants as agreed;

8 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, that the
9 \$25,000.00 U.S. currency is hereby forfeited to the United States, and no interest
10 exists in any other person;

11 IT IS FURTHER ORDERED that the United States Marshals Service shall
12 dispose of the \$25,000.00 U.S. currency in accordance with law.

13 DATED this 19th day of February, 2009.

14 s/ Fred Van Sickle

15 Fred Van Sickle
16 Senior United States District Judge

17 Presented by:

18 James A. McDevitt
19 United States Attorney

20 s/Jared C. Kimball

21 Jared C. Kimball
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